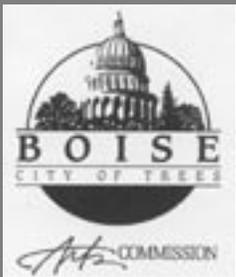


Trial of the Century

Photo of the First Ada County Courthouse , early 1900s (70-84.1), and location of the Trial of the Century courtesy of the Idaho State Historical Society.

Sponsored By:



Boise City, Office of the Mayor
Fourth Judicial District Bar Association
Ernest A. Hoidal, Attorney at Law

Byron Johnson,
Idaho Supreme Court Justice (retired)
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2007 Marks the 100th Anniversary of the “Trial of the Century”

In 1907 the nation’s attention turned to Idaho’s capital city where newsmen anxiously followed the era’s most sensational trial. The leaders of the powerful Western Federation of Miners labor union, William “Big Bill” Haywood, George Pettibone, and Charles Moyer stood accused of hiring Harry Orchard to assassinate former Idaho Governor Frank Steunenberg outside his Caldwell home by detonating a bomb attached to his gate. Many colorful players and events set the stage for the trial. When Orchard implicated the union leaders, the State of Idaho acted swiftly having the union leaders taken into custody by the Pinkerton Detective Agency and “extraditing” them from Denver to Boise by way of a late-night train ride in what had the appearance of a kidnapping.

Why was Governor Steunenberg assassinated? At the end of the 19th century America was divided by conflicts between capital and labor that many feared would lead to outright war between the classes. Wealthy business owners, bosses and their agents clashed, at times violently, with workers and the unions that represented them. Abuses abounded on both sides. The rich and powerful, and the poor and frustrated were on a collision course, with anarchy and Socialism among the possible outcomes. It was believed at the time that the Western Federation of Miners wanted to make an example of the former governor for his crackdown on the extreme violence between labor and capital in the Coeur d’Alene mining region of northern Idaho by calling in federal troops to quell a violent uprising in 1899. President Theodore Roosevelt referred to “Big Bill” Haywood as an “undesirable citizen”. The Socialist press responded with sharp condemnation of Roosevelt. In *Big Trouble* award-winning author Anthony J. Lukas argues that the murder of former Governor Steunenberg, and the subsequent trial, set the stage for “a struggle for the soul of America”.

The explosive nature of the case traveled across the country. As the trial approached, the eyes of the world were on Boise, Idaho. For ten weeks beginning on May 9, 1907, more than fifty correspondents, filed reports for wire services, national newspapers and other publications. On July 28, 1907 when Haywood was found “not guilty”, many were in disbelief. Some blamed a jury instruction given by Judge Fremont Wood about the issue of corroborating testimony (or lack thereof in this case) to back up the statements of Harry Orchard. When George Pettibone was found “not guilty” in his trial, the prosecution did not bother prosecuting Charles Moyer.

Eventually, the “Trial of the Century” helped bring an end to nearly fifteen (15) years of labor wars in the mines of the western states. A larger view also illustrates that the laws forming the backbone of our society were also on trial in the summer of 1907, such as rules of evidence to secure a conviction; in this case, corroborating testimony. The legal tenet of *habeus corpus*, due to the late-night “extradition” of the labor leaders was notably decided by the nation’s highest court. Denied a writ of *habeus corpus* by the Idaho Supreme Court, the defendants appealed their case to the United States Supreme Court. That Court’s denial of *habeus corpus* remains precedent today. And, after the trial was over, though other national crises would test America’s strength, the “soul of America” did, indeed, survive the “Trial of the Century”.

Many events to commemorate the “Trial of the Century” are scheduled in Boise, Idaho throughout 2007. A calendar of those events follow, as does a list of permanent Steunenberg exhibits in Boise and Caldwell. A rich body of literature and historical sources exists concerning the events and subsequent trial, and a bibliography is included to direct you to additional reading and source materials.

“THE TRIAL OF THE CENTURY” CAST OF CHARACTERS

The Victim

FRANK STEUNENBERG

Former Governor of Idaho. Had called in Federal troops to the Coeur d’Alene mining region of Idaho when violence broke out in 1899, and held union miners in “bull pens” to await trial.

The Accused

WILLIAM D. HAYWOOD

GEORGE A. PETTIBONE

CHARLES A. MOYER.

Leaders of the Western Federation of Miners, a labor union known to use violence throughout the West.

Defense Attorneys

CLARENCE S. DARROW

EDMUND F. RICHARDSON

Both lawyers had excellent reputations as defense attorneys, but it would be Darrow who became most famous.

Prosecuting Attorneys

JAMES H. HAWLEY

WILLIAM E. BORAH

Hawley was a pioneering lawyer in Idaho who would later become Governor of Idaho.

Borah became a United States Senator, and was a presidential candidate.

Pinkerton Detective Agency Investigator

JAMES MCPARLAND

The most famous detective of the century led the investigation of the crime.

Chief Prosecution Witness

HARRY ORCHARD

The confessed assassin and hit-man for the labor bosses became the key witness for the prosecution.

The Judge

FREMONT WOOD

As a former United States Attorney, Wood had prosecuted some of the defendants in 1892, after violence had erupted in the Coeur d’Alene mining region. But because he was known for his fairness, the defense team did not oppose him serving as the judge.

“TRIAL OF THE CENTURY” EVENTS - 2007

February 10 - April 15, 2007: “Big Trouble: The Idaho Project” by Idaho Artist Scott Fife

Boise Art Museum - Exhibition, 670 Julia Davis Drive, Boise, Idaho. (208) 345-8330. Check the website for hours and admission information at www.boiseartmuseum.org.

February 21, 2007: “Especially For Seniors”

Boise Art Museum, 670 Julia Davis Drive, Boise, Idaho. Area senior citizens are invited to a presentation featuring the Scott Fife Exhibition. 2:00 pm. Seniors (62+) receive free admission all day.

February 22, 2007: “Studio Art Class”

Boise Art Museum, 670 Julia Davis Drive, Boise, Idaho. A studio art class based on Scott Fife’s exhibit is being offered. The class, *Ceramic Portraiture*, includes five sessions starting in April and ending in mid-May. Participants will learn the basics of using clay to build a realistic representation of the human head, inspired by Scott Fife’s large-scale sculptural portraits. The class is open to teens and adults for a fee of \$100 (\$75 for BAM members), which includes a guided examination of the *Big Trouble: The Idaho Project* exhibition and all materials.

February - April, 2007: “Mining and the Steunenberg Assassination”

Idaho State Historical Museum - Exhibition, 610 N. Julia Davis Drive, Boise, Idaho (208) 334-2120. Check the website for hours and admission information. www.idahohistory.net/museum.

March 1, 2007: First Thursday - “Art Talk”

Boise Art Museum, 670 Julia Davis Drive, Boise, Idaho. Artist Scott Fife discusses his exhibition, *Big Trouble: The Idaho Project*. Art Talk is an informal, in-gallery adult program offering the community informative and lively discussions with artists and art specialists.

5:30 pm. Admission to the Museum and the program is free of charge.

March 1, 2007 : “Studio Art Exploration”

Boise Art Museum, 670 Julia Davis Drive, Boise, Idaho. Make an historical portrait sculpture with cardboard and paper after viewing *Big Trouble: The Idaho Project*. Art lovers of all ages and abilities are invited to drop in and explore art media related to this exhibit in the education studios. 5:00 pm to 8:00 pm. Admission to the Museum and program is free of charge.

March 4, 2007: “First Sunday Art Tour”

Boise Art Museum, 670 Julia Davis Drive, Boise, Idaho. *Big Trouble: The Idaho Project*. Learn more about this exhibit. Free with the price of admission. Presented by the Boise Art Museum docents. 3:00 p.m.

March 7, 2007: Toddler Wednesday - "Portraits"

Boise Art Museum, 670 Julia Davis Drive, Boise, Idaho. Use cardboard and paper to build portraits after viewing *Big Trouble: The Idaho Project*. Explore art media related to this exhibit anytime between 10 am and noon, children ages 2-3 with an adult. Free with the price of admission.

March 15, 16, 17, 2007: The Gate on 16th Avenue (A 1905 Murder and the Trial of the Century)

Sponsors: **Idaho Legal History Society. Spontaneous Productions, Inc. and Boise Little Theater**

Place: Boise Little Theater, 100 E. Fort Street, Boise, Idaho

Time: 7:30 p.m. each night - Box office opens at 6:30 p.m.*

General Admission: \$17.00

Student/Senior (62+) Admission: \$12.00

The Gate on 16th Avenue: (A 1905 Murder and the Trial of the Century) is a new, original play about the famous trial held in Boise, Idaho that arose from the murder of former Governor Frank Steunenberg in 1905. Written and directed by Mike Silva, the play will headline Gary Anderson as Clarence Darrow, a professional actor who is highly acclaimed for his one-man presentation of Darrow, with local actors playing the roles of the attorneys, judges, and others involved in the trial.

*6:30 - 7:30 p.m. Thursday, March 15th - Reception hosted by the Idaho Legal History Society.

Wine and beer will be available for sale, and light refreshments will be served.

Tickets available at www.boiselittletheater.org and at the box office – (208) 342-5104.

March 31, 2007: "Family Art Saturday"

Boise Art Museum, 670 Julia Davis Drive, Boise, Idaho. Examine the works of Idaho Artist Scott Fife and use clay to build historical portraits. Children accompanied by their adult friends are invited to drop in any time between noon and 3 pm for a hands-on art workshop. The program is recommended for children ages 12 and under. Free with the price of admission.

April 5-30, 2007: First Thursday - "Art Talk" and "Exhibit"

Idaho State Historical Museum - New Exhibit. 610 N. Julia Davis Drive, Boise, Idaho. See some of the exhibits used during the "Trial of the Century", various paintings, and a series of informative interpretative panels about the events. **Art Talk** - In conjunction with the Scott Fife exhibition, nationally acclaimed actor Gary Anderson will perform a 2-act play entitled, "*Clarence Darrow: The Search for Justice*" (presented in partnership with the Boise Art Museum). 5:30 p.m. Free of charge.

April 19, 2007: "Presentation"

Idaho State Historical Museum – Friends of the Idaho Historical Museum. 610 N. Julia Davis Drive, Boise, Idaho. "The Haywood Trial of 1907" - A presentation by former Idaho Supreme Court Justice Byron Johnson. 7:00 p.m. – 8:00 p.m. Adults: \$2.00. Students: \$1:00. Free to members of the Friends of the Idaho State Historical Museum.

April 21, 2007: "Presentation"

Idaho State Historical Museum – Friends of the Idaho Historical Museum – Brown Bag Lunch Series. 610 N. Julia Davis Drive, Boise, Idaho. "The Haywood Trial of 1907" - A presentation by former Idaho Supreme Court Justice Byron Johnson. 12:00 p.m. – 1:00 p.m. Adults: \$2.00. Students: \$1:00. Free to members of the Friends of the Idaho State Historical Museum. Light refreshments will be served.

May 3, 2007: "Fettuccine Forum"

Rose Room in the Union Block, Boise Idaho. "The Trial of Big Bill Haywood in Boise, 1907: The Trial of the Century". Presented by Former Idaho Supreme Court Justice Byron Johnson.
5:30-7:00 p.m. Free of Charge.

May 3-5, 2005: "Workshop"

Boise City Hall, 715 S. Capital Boulevard, Boise, Idaho. "Personal Rights and the U. S. Constitution". This Boise State University student workshop is presented in conjunction with the Fettuccine Forum listed above, and will be taught by former Idaho Supreme Court Justice Wayne Kidwell who will lead students in an exploration of the history of personal rights. Local and federal case law will be analyzed. Refreshments will be available.

Contact Extended Studies at Boise State University to sign up for college credit in the following classes: HIST 494/594; SSPA 494/594 or POL 494.

Thursday, May 3, 2007	4:00 - 8:00 p.m. - Includes the "Fettuccine Forum"
Friday, May 4, 2007	4:00 - 8:00 p.m.
Saturday, May 5, 2007	10:00 - 5:00 p.m.

September 11, 2007: "Harry Orchard and the Old Penitentiary"

Idaho Botanical Gardens. 2355 E. Old Penitentiary Road, Boise, Idaho. Former Idaho Supreme Court Justice Byron Johnson will present trial information, especially as it concerned the confessed murderer, Harry Orchard. One-half of the group will walk from the Idaho Botanical Gardens to the **Old Idaho Penitentiary** where Harry Orchard lived out the rest of his life, and Amber Beierly will describe what Orchard's life was like confined behind the stone walls. The other half will go to the nearby **Idaho State Historical Society, Research Library and Archives** for a presentation by Troy Reeves, Idaho State Historian, and Kathy Hodges, Idaho Oral Historian, about the research collections available on this topic, as well as artifacts used as trial exhibits. The two groups will then switch places. 6:00 - 9:00 p.m. \$4.00 per person. Reservations are required as seating is limited to 60 people. Please call 343-8649 for your reservation.

Please Note: This event is tentative, and will be dependent upon funding.

November 2007: "Idaho Public Television Documentary"

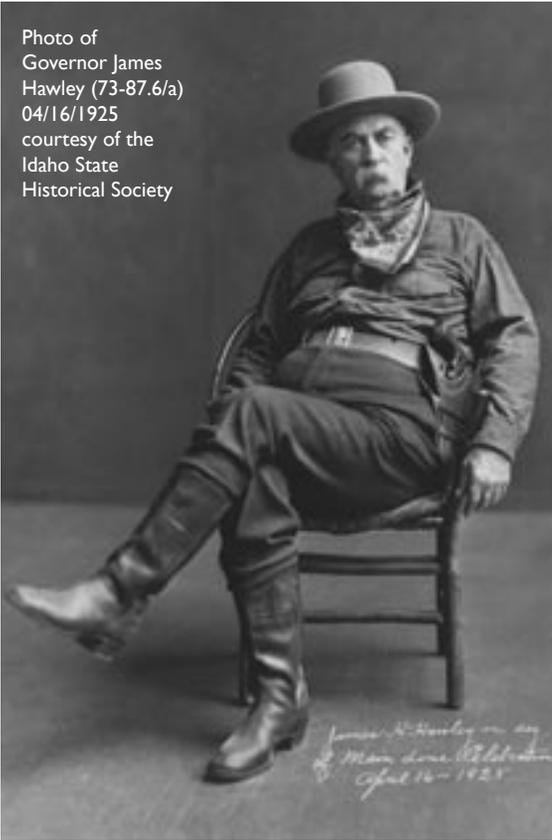
"ASSASSINATION: IDAHO'S TRIAL OF THE CENTURY". Idaho Public Television is currently conducting interviews, and researching the fascinating history of the 1907 "Trial of the Century" which pitted future Idaho Governor James H. Hawley and future United States Senator from Idaho William E. Borah, as prosecutors, against Clarence Darrow, who hadn't yet gained fame for the "Scopes Monkey Trial", who headed up the defense team in State vs. Haywood, Moyer and Pettibone. The documentary will also feature reenactments from the trial by local actors and the remarkable Gary Anderson, a nationally-known actor who portrays Clarence Darrow.

A DVD will be produced for the public and distribution to Idaho schools, and extensive information on IPTV's is available, including extended interviews. This is the first in a series of several productions in IPTV's proposed series, "The Idaho Experience".

See <http://idahoptv.org/productions/>

“TRIAL OF THE CENTURY” PERMANENT IDAHO EXHIBITS AND MEMORIALS

Photo of
Governor James
Hawley (73-87.6/a)
04/16/1925
courtesy of the
Idaho State
Historical Society



Idanha Hotel. Boise, Idaho. Permanent Exhibit. “**The Idanha: Witness to History - Big Bill Haywood Trial**”. This engaging exhibit contains information and photos of the trial and the people involved who stayed at the Idanha Hotel during the “Trial of the Century”.

Idaho State Historical Society Museum. Boise, Idaho. Permanent Exhibit. “The Story of Idaho”. An annotated history of mining in Idaho greets the visitor in the inclusive history of Idaho. Also included in the mining section are several artifacts from “The Trial of the Century,” including trial exhibits, remnants of the bomb used to assassinate former Governor Steunenberg, and articles found in Harry Orchard’s hotel room.

Steunenberg Historic District. Caldwell, Idaho. The Caldwell Historic Preservation Commission has placed significant signage throughout this district named for former Governor Frank Steunenberg. The historic district comprises some 400 homes from 12th Avenue to 20th Avenue (roughly the area between Albertson’s College of Idaho and downtown Caldwell. The original location of Governor Steunenberg’s home, and the place where he was assassinated is at the corner of Dearborn and 16th Avenue.

Steunenberg Monument. Boise, Idaho. This monument is a statue of former Idaho Governor Frank Steunenberg and was dedicated in 1929 by former Governor of Idaho James H. Hawley.

Steunenberg Monument. Caldwell, Idaho. This monument was placed recently in the plaza in front of the restored Caldwell Railroad Depot. It commemorates both Frank Steunenberg and his brother, Ansel K. Steunenberg who were early pioneers of Caldwell. The monument is located at the corner of 7th and Main Streets, Caldwell, Idaho.

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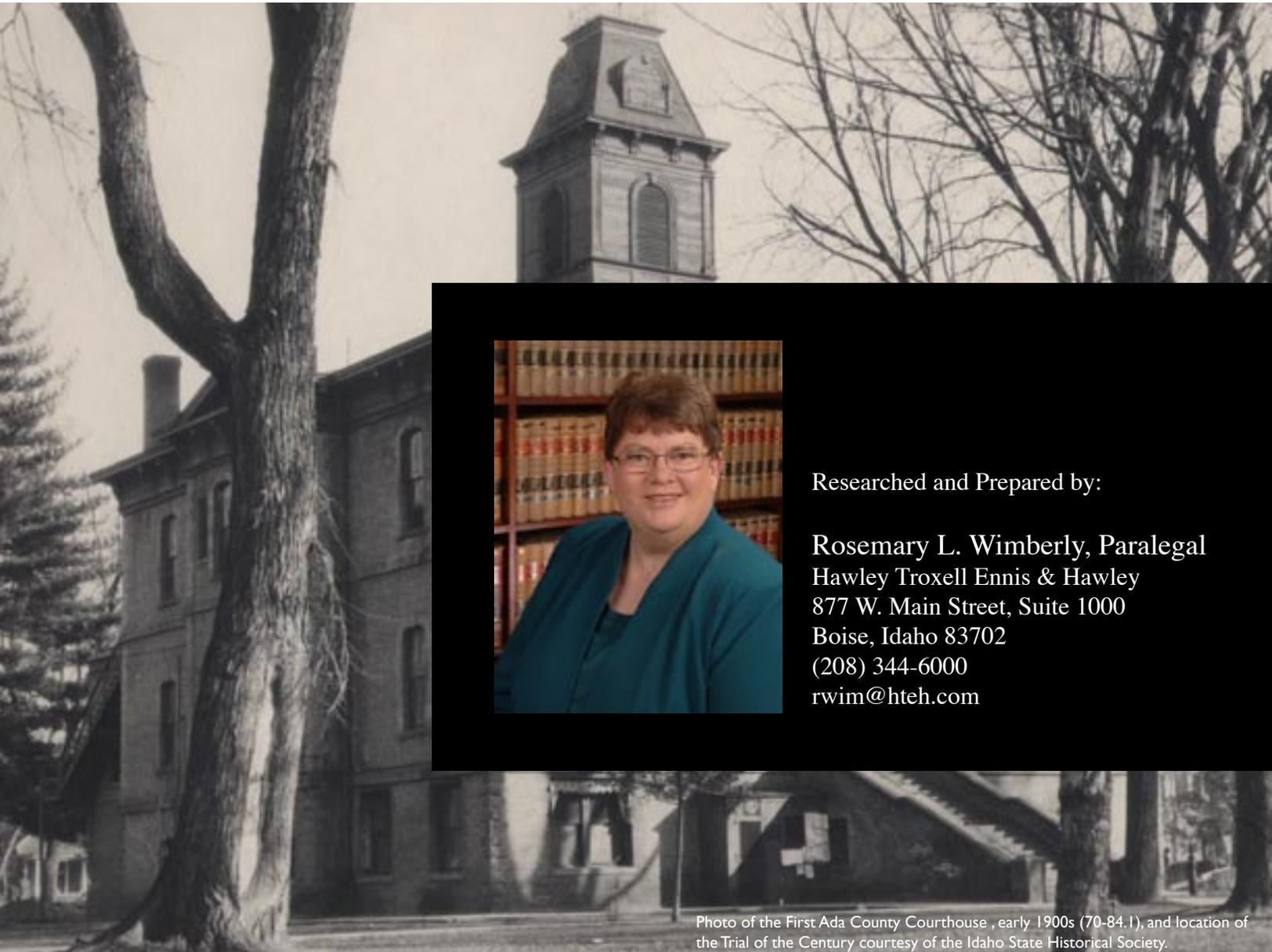
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Researched and Prepared by:

Rosemary L. Wimberly, Paralegal
Hawley Troxell Ennis & Hawley
877 W. Main Street, Suite 1000
Boise, Idaho 83702
(208) 344-6000
rwim@hteh.com

Photo of the First Ada County Courthouse , early 1900s (70-84.1), and location of the Trial of the Century courtesy of the Idaho State Historical Society.